

0002

**From:** Steve Demczak  
**To:** Angela Nance; Vicky Miller  
**Date:** 3/16/2009 2:39 PM  
**Subject:** Feb Insp  
**Attachments:** 20090316135246.pdf; 20090316135306.pdf

*Outgoing*  
*C/007/0018*  
*C/007/0034*

*B*



**State of Utah**  
**Department of**  
**Natural Resources**

MICHAEL R. STYLER  
*Executive Director*

**Division of**  
**Oil, Gas & Mining**

JOHN R. BAZA  
*Division Director*

JON M. HUNTSMAN, JR.  
*Governor*

GARY R. HERBERT  
*Lieutenant Governor*

**Representatives Present During the Inspection:**

Company	Vicky S. Miller Environmental Specialist
Company	Steve Demczak Environmental Scientist III

## Inspection Report

Permit Number:	C0070034
Inspection Type:	COMPLETE
Inspection Date:	Monday, February 23, 2009
Start Date/Time:	2/23/2009 10:00:00 AM
End Date/Time:	2/23/2009 12:00:00 PM
Last Inspection:	Monday, November 17, 2008

Inspector: Steve Demczak, Environmental Scientist III

Weather: Sunny, Temp 30's

InspectionID Report Number: 1928

Accepted by: jhellric  
3/11/2009

Permittee: **CANYON FUEL COMPANY LLC**

Operator: **CANYON FUEL COMPANY LLC**

Site: **BANNING SIDING LOADOUT**

Address: **PO BOX 1029, WELLINGTON UT 84542**

County: **CARBON**

Permit Type: **PERMANENT COAL PROGRAM**

Permit Status: **ACTIVE**

**Current Acreages**

36.42	<b>Total Permitted</b>
21.60	<b>Total Disturbed</b>
	<b>Phase I</b>
	<b>Phase II</b>
	<b>Phase III</b>

**Mineral Ownership**

- ☒ Federal  
☒ State  
☐ County  
☒ Fee  
☐ Other

**Types of Operations**

- ☐ Underground  
☐ Surface  
☐ Loadout  
☐ Processing  
☐ Reprocessing

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

Permit Condition: Canyon Fuel Company has just one permit condition for the Banning Loadout; to submit water quality data in an electronic format through the Electronic Data Input web site.

Inspector's Signature: Steve Demczak

Steve Demczak, Environmental Scientist III

Inspector ID Number: 39

Date Tuesday, February 26, 2008

**Note:** This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

1594 West North Temple, Suite 1210, PO Box 145801, Salt Lake City, UT 84114-5801  
telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • [www.ogm.utah.gov](http://www.ogm.utah.gov)

Permit Number: C0070034  
 Inspection Type: COMPLETE  
 Inspection Date: Monday, February 23, 2009

## Inspection Continuation Sheet

Page 2 of 3

**REVIEW OF PERMIT PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS**

1. Substantiate the elements on this inspection by checking the appropriate performance standard.
  - a. For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.
  - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Signs and Markers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.a Hydrologic Balance: Diversions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Protection of Fish, Wildlife and Related Environmental Issues	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Permit Number: C0070034  
Inspection Type: COMPLETE  
Inspection Date: Monday, February 23, 2009

**Inspection Continuation Sheet***Page 3 of 3***1. Permits, Change, Transfer, Renewal, Sale**

There are no permitting actions with the Division. The permittee needs to update the surface facilities map. The map shows some building on the site.

**2. Signs and Markers**

The identification signs is at the gate to the property.

**4.a Hydrologic Balance: Diversions**

Diversions were functioning as designed. The ditches were not flowing water.

**4.b Hydrologic Balance: Sediment Ponds and Impoundments**

The sediment pond was inspected for the fourth quarter of 2008. No hazardous conditions were noted. The inspection took place on Oct. 13, 2008.

**4.e Hydrologic Balance: Effluent Limitations**

Sediment pond did not discharge for the fourth quarter.

**8. Noncoal Waste**

The area has been cleaned-up of scrape metal this summer.

**15. Cessation of Operations**

The loadout is not being used except as a storage facilities.

**21. Bonding and Insurance**

The insurance policy will expire on July 31, 2009. The bonding amount is \$350,000.



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**Department of**  
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*Lieutenant Governor*

**Representatives Present During the Inspection:**

Company	Vicky S. Miller Environmental Specialist
OGM	Steve Demczak Environmental Scientist III

## Inspection Report

Permit Number:	C0070018
Inspection Type:	COMPLETE
Inspection Date:	Monday, February 23, 2009
Start Date/Time:	2/23/2009 12:00:00 PM
End Date/Time:	2/23/2009 3:00:00 PM
Last Inspection:	Tuesday, November 17, 2009

Inspector: Steve Demczak, Environmental Scientist III

Weather: Sunny, 30's Snow Covered

Inspection ID Report Number: 1932

Accepted by: jhelfric  
3/11/2009

Permittee: **CANYON FUEL COMPANY LLC**

Operator: **CANYON FUEL COMPANY LLC**

Site: **SOLDIER CANYON MINE**

Address: **PO BOX 1029, WELLINGTON UT 84542**

County: **CARBON**

Permit Type: **PERMANENT COAL PROGRAM**

Permit Status: **ACTIVE**

**Current Acreages**

6,624.64	<b>Total Permitted</b>
24.32	<b>Total Disturbed</b>
	<b>Phase I</b>
	<b>Phase II</b>
	<b>Phase III</b>

**Mineral Ownership**

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☒ State  
☐ County  
☐ Fee  
☐ Other

**Types of Operations**

- ☒ Underground  
☐ Surface  
☐ Loadout  
☐ Processing  
☐ Reprocessing

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

Permit Condition: Canyon Fuel Company has just one permit condition for the Soldier Canyon Mine; to submit water quality data in an electronic format through the Electronic Data Input web site.

Permitting Actions: None

Inspector's Signature: \_\_\_\_\_

Steve Demczak, Environmental Scientist III

Inspector ID Number: 39

Date: Monday, March 02, 2009

**Note:** This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

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Permit Number: C0070018  
 Inspection Type: COMPLETE  
 Inspection Date: Monday, February 23, 2009

## Inspection Continuation Sheet

Page 2 of 3

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21. Bonding and Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Permit Number: C0070018  
Inspection Type: COMPLETE  
Inspection Date: Monday, February 23, 2009

**Inspection Continuation Sheet***Page 3 of 3***1. Permits, Change, Transfer, Renewal, Sale**

No permitting action is with the Division for Soldier Creek Mine. The permit will expire on Feb. 12, 2012. The SPPC plan was last inspected on December 3, 2007. The UPDES permit will expire on March 31, 2011.

**3. Topsoil**

Topsoil piles were snow covered.

**4.a Hydrologic Balance: Diversions**

The diversions are snow covered.

**4.b Hydrologic Balance: Sediment Ponds and Impoundments**

The sediment pond was inspected for the fourth quarter on Oct 11, 2008. No hazardous conditions were reported. I inspected the sediment pond and no hazardous conditions were not noticed. Sediment pond was snow covered.

**4.d Hydrologic Balance: Water Monitoring**

The fourth quarter of 2008 water monitoring data will be submitted to the Division before the end of the first quarter of 2009.

**4.e Hydrologic Balance: Effluent Limitations**

No discharge for the fourth quarter of 2008.

**8. Noncoal Waste**

The mine site is snow covered. The permittee clean up the site in the fall of 2008.

**10. Slides and Other Damage**

No slides were noted during the inspection.

**11. Contemporaneous Reclamation**

The mine site is idle and no contemporaneous reclamation has taken place.

**15. Cessation of Operations**

The mine is in cessation of operations. The permittee will try to find a letter notifying the Division of this status. The mine has not been active since the late 1990's.

**21. Bonding and Insurance**

The insurance policy will expire on June 31, 2009. The bonding amount is \$1,593,000